

MINUTES OF THE REGULAR MEETING OF THE
NEW YORK STATE BRIDGE AUTHORITY

HELD AT HEADQUARTERS, HIGHLAND, N.Y. ON
July 15, 2010

Business agenda documents/reports are mailed to the Board Members and General Counsel one week prior to the meeting. Web casting of Board meetings is effective as of the July 19, 2007 meeting. A copy of the web cast will be kept as part of the Board meeting files.

IN ATTENDANCE:

BOARD MEMBERS:

Sproat, James P., Chairman
Vecellio, Francis N., Vice Chairman
Dressel, Roderick O., Commissioner
Gerentine, Richard A., Commissioner
Higgins, Roger P., Commissioner
Lashua, C. Vane, Commissioner
Ramaglia, Joseph, Commissioner

Carl G. Whitbeck, Jr., Counsel

OFFICERS:

Ruggiero, Joseph., Secretary
Sewell, John R., Treasurer

Chairman Sproat called the meeting to order at 3:30 PM. Chairman Sproat called for a motion to adopt the minutes of the June 17, 2010 Regular meeting. On motion of Commissioner Higgins, seconded by Commissioner Ramaglia, the minutes of the June 17, 2010 Regular meeting were adopted unanimously.

ADMINISTRATION:

1) Mark IV Agreement Extension Option

Mr. Russo indicated to the Board that pursuant to the current Second Extension Agreement with Mark IV, the Authority must formally notify Mark IV if it wishes to exercise the one year option to extend prior to the Agreement's expiration on August 16, 2010. The Authority executed the three-year Second Extension to the Irrevocable Offer with Mark IV on August 17, 2007. This extension continued the existing agreement for the procurement of E-ZPass hardware and maintenance services. This extension was executed as the IAG's next generation procurement effort was getting underway. Mr. Russo further indicated that since that procurement process is not yet complete, it is in the best interest of the Authority to exercise the one year option to extend. Mr. Russo stated that this extension will have a new expiration date of August 16, 2011 and the existing terms and pricing will remain the same. Chairman Sproat called for a motion. A brief discussion followed as to why the Authority does not purchase transponders and the fact that there is no specific cost associated with this resolution. Mr. Russo explained the resolution is simply an extension of the existing contract terms for one additional year. On a motion of Commissioner Ramaglia, seconded by Commissioner Higgins, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-063
Resolution Date: July 15, 2010

WHEREAS on August 17, 2007, the Authority executed a three-year Second Extension Agreement with Mark IV IVHS, Inc. for the procurement of E-ZPass related equipment and services which is due to expire August 16, 2010; and

WHEREAS, the Second Extension Agreement provided for an additional one year option to extend; and

WHEREAS the Authority has determined it is necessary to extend its agreement with Mark IV IVHS, Inc. in order to continue the support of its E-ZPass operations; now therefore

BE IT RESOLVED the Authority agrees to execute the one year option to extend the Second Extension Agreement to the Irrevocable Offer with Mark IV IVHS, Inc. as negotiated by the IAG and as presented for the term beginning August 17, 2010 and expiring August 16, 2011; and

BE IT FURTHER RESOLVED that the Executive Director, or his designee, is hereby authorized and directed to take the necessary measures to implement this resolution.

IN WITNESS WHEREOF, this resolution has been duly adopted this 15th day of July, 2010.

Joseph Ruggiero, Secretary

ENGINEERING:

1) Highway Repairs Systemwide

Mr. Moreau recommended to the Board that Sun Up Enterprises, Inc. of Wappingers Falls be awarded the contract for systemwide highway repairs in the amount not-to-exceed \$677,150.00. A brief discussion followed inquiring if the entire estimated amount would be spent for this project. Mr. Moreau indicated that due to all bridges needing roadwork before the winter and the amount of materials needed, all monies would be used. On a motion of Commissioner Gerentine, seconded by Vice Chairman Vecellio, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-064
Resolution Date: July 15, 2010

WHEREAS, bids were solicited through the New York State Contract Reporter for the contract entitled Rip Van Winkle, Mid-Hudson, Kingston-Rhinecliff, Newburgh-Beacon and Bear Mountain Bridges "Highway Repairs" (BA2010-RE-104-CM) and four (4) bids were received on July 13, 2010; the low bidder being the firm of Sun Up Enterprises, Inc., of Wappingers Falls, New York, at a bid of \$677,150.00; and

WHEREAS, it is hereby determined that such project constitutes a Type II Action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which has been determined under such regulations not to have a significant negative impact on the environment; now therefore

WHEREAS, after further review of the cost proposal by the Engineering Department, it is recommended that a contract be awarded to the firm of Sun Up Enterprises, Inc.; now therefore

BE IT RESOLVED that a contract be awarded to Sun Up Enterprises, Inc. of Wappingers Falls, New York in the amount not-to-exceed \$677,150.00 pending the filing of proper certifications, and the receipt of bonding and insurance requirements; and

BE IT FURTHER RESOLVED that the Executive Director, or his designee, is hereby authorized and directed to take the necessary measures to implement this resolution.

IN WITNESS WHEREOF, this resolution has been duly adopted this 15th day of July, 2010.

Joseph Ruggiero, Secretary

2) WOTH Maintenance Facility

Mr. Moreau indicated that the mobile maintenance facility for the Walkway Over the Hudson consists of a 12' x 40' office trailer and an 8' x 32' storage container at a cost of \$44,210.47. These units were acquired from the Bridge Contractor, Harrison & Burrowes, upon completion of the construction work and will meet the needs of our shared maintenance responsibilities with the Parks department. Mr. Moreau further indicated should a more permanent maintenance facility become available in the future these units can be relocated within the Authority system for use on other capital reconstruction projects. A brief discussion relative to what would be stored in this facility and the Authority allowing the Parks Department to use it until they are able to build a permanent facility. Also discussed was the Parks Department's responsibility for insuring this facility. Chairman Sproat called for a motion. On a motion of Commissioner Lashua, seconded by Vice Chairman Vecellio, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-065
Resolution Date: July 15, 2010

WHEREAS, the New York State Bridge Authority has determined that it is in the public interest to issue a purchase order to Harrison & Burrowes Bridge Constructors, Inc., of Glenmont, New York, for the purchase of a mobile maintenance facility for the Walkway Over the Hudson; and

WHEREAS, the Authority's Engineering Department has reviewed and approved this cost proposal; now therefore

BE IT RESOLVED that a purchase order be issued to Harrison & Burrowes Bridge Constructors, Inc. for the purchase of a mobile maintenance facility in the amount of \$44,210.47; and

BE IT FURTHER RESOLVED that the Executive Director, or his designee, is hereby authorized and directed to take the necessary measures to implement this resolution.

IN WITNESS WHEREOF, this resolution has been duly adopted this 15th day of July 2010.

Joseph Ruggiero, Secretary

3) Lobby Renovations

Mr. Moreau indicated to the Board that he and Craig Gardner have finalized the estimate for completing security renovations in the lobby of the Headquarters building in accordance with the plans. Mr. Moreau considers this a conventional capital improvement, which would include the Authority labor in the budget . Should the Authority choose to outsource portions of the labor, it is not foreseen as a significant cost difference as the Authority's in-house labor cost was estimated at overtime rates. Mr. Moreau went on to say that it is anticipated that work will be performed nights and weekends and could be accomplished over a ten (10) day period. The total estimate for this renovation is \$21,500.00. This includes new storage cabinets for office supplies and a counter on the office side of the service window. A brief discussion followed relative to handicap accessibility at Headquarters and at the bridges. On a motion of Vice Chairman Vecellio, seconded by Commissioner Gerentine, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-066
Resolution Date: July 15, 2010

WHEREAS, the New York State Bridge Authority has determined that it is in the public interest to authorize the in-house capital project to enhance security in the lobby of the Authority's Headquarters Building; and

WHEREAS, the scope of work for this project has been developed by the Executive Staff and the Engineering Department and will afford the administrative staff the safety measures necessary to effectively monitor visitors to the Headquarters Building; and

WHEREAS, the staff has reviewed the estimated budget costs for the work and estimates \$21,500.00 will be necessary to complete the work; now therefore

BE IT RESOLVED that this Board authorizes the 2010 In-House Capital Projects to include this additional project and adjusts the program budget by \$21,500.00; and

BE IT FURTHER RESOLVED that the Executive Director, or his designee, is hereby authorized and directed to take the necessary measures to implement this resolution.

IN WITNESS WHEREOF, this resolution has been duly adopted this 15th day of July 2010.

Joseph Ruggiero, Secretary

4) Racon Repair at RVWB

Mr. Moreau indicated to the Board that notification was received from the U.S. Coast Guard that the radar beacon (RACON) on the Rip Van Winkle Bridge, allowing for the navigation of ships, was not functioning and that we were liable for penalties of up to \$25,000.00 per day until it was restored. The maintenance crew promptly removed the RACON and shipped it to Houston, Texas to determine if it could be repaired. Mr. Moreau further indicated that the appropriate agencies were notified that the RACON was not operational and alerted to our plans for repair or replacement. The initial reports say that the RACON can be repaired for about \$3,000.00. The vendor, Automatic Power, has cautioned us that this is a very old RACON and as such, the repair could last us five years or five days. A brief discussion followed relative to moving to a less expensive technology with the same reliable results and if the Walkway would be required to install them as well. No action was required by the Board.

5) Jobs in Progress Monthly Report

Mr. Moreau presented the Engineering Jobs in Progress Report and indicated that the paint project at Newburgh-Beacon Bridge is about 28% complete and is ahead of schedule. Chairman Sproat called for a motion. On motion of Vice Chairman Vecellio, seconded by Commissioner Ramaglia, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-067

Resolution Date: July 15, 2010

WHEREAS, the Board has reviewed the monthly Engineering Progress Report on Capital Project Status; now therefore

BE IT RESOLVED that the Engineering Progress Report is accepted as an instrument documenting the Board's briefing of Capital Construction activities; and

BE IT FURTHER RESOLVED that the Executive Director, or his designee, is hereby authorized and directed to take the necessary measures to implement this resolution.

IN WITNESS WHEREOF, this resolution has been duly adopted this 15th day of July 2010.

Joseph Ruggiero, Secretary

FINANCIAL:

1) Investment Report

Mr. Sewell reviewed with the Board the Investment Report for the month of June. A brief discussion took place relative to current interest rates. Chairman Sproat called for a motion. On motion of Vice Chairman Vecellio, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-068

Resolution Date: July 15, 2010

WHEREAS, the investment control procedures for the New York State Bridge Authority provide that the Board shall review and approve the report of investment transactions completed since the meeting of the Board on May 20, 2010; now therefore

BE IT RESOLVED the New York State Bridge Authority does hereby concur with and approve the investment report as filed with this body on this date for the purpose noted; and

BE IT FURTHER RESOLVED that the Executive Director, or his designee, is hereby authorized and directed to take the necessary measures to implement this resolution.

IN WITNESS WHEREOF, this resolution has been duly adopted this 15th day of July 2010.

Joseph Ruggiero, Secretary

2) Insurance Policy Renewals – August 1, 2010

Mr. Sewell indicated to the Board that, in 2007, the Authority awarded contracts for three insurance policies for one-year periods beginning August 1st. The right was reserved by the Authority to renew these policies for three additional years if the carrier offered timely renewal, at substantially the same terms, conditions and rates subject to modification for actual loss experience. The Authority realized \$53,449 in savings on these policies in August 2007 through the request for proposal process. Mr. Sewell further indicated that, in 2008, rates remained the same on the police professional policy and showed small increases of 9.8% on the automobile and 6.1% on the commercial package, given the loss experience. Mr. Sewell went on to say that, last year, the package and automobile carriers offered two-year policies at expiring rates, while the police professional policy offered two years at the 2008 rate, if loss ratios remain below 50% of premium. As such, for the August 1, 2010 policy year the rates remained the same for the package and automobile policies and the police professional policy saw a small decrease in premium. Chairman Sproat called for a motion. On a motion of Commissioner Ramaglia, seconded by Vice Chairman Vecellio, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-069

Resolution Date: July 15, 2010

WHEREAS, the Board has reviewed the report relative to the August 1, 2010 purchase of insurance policies covering business automobile, commercial package and police professional liability; now therefore

BE IT RESOLVED that the purchase of these insurances is hereby approved for a period of one year at or below the expiring rates and at the following costs:

\$31,799, subject to buildings and contents audit, for a Commercial Package policy with the Harleysville Insurance Company through Associates of Glens Falls Inc.;

67,858, subject to vehicle audit, for Business Automobile Liability with the Praetorian Insurance Company through Salerno Brokerage Corp.;

\$9,070 for a Police Professional Liability policy with the Praetorian Insurance Company through E.G. Bowman Co., Inc.;

BE IT FURTHER RESOLVED that the Executive Director, or his designee, is hereby authorized and directed to take the necessary measures to implement this resolution.

IN WITNESS WHEREOF, this resolution has been duly adopted this 15th day of July 2010.

Joseph Ruggiero, Secretary

PUBLIC RELATIONS AND PLANNING:

Mr. Bellucci updated the Board on future events the Authority will be a part of and indicated a complete written report of these events is available upon request.

REPORTS TO BOARD:

1) Monthly Activity Report of the Executive Director

The Monthly Activity Report was submitted by the Executive Director Joseph Ruggiero who indicated there were no expenditures for the month of June.

NEW BUSINESS

1) Time Warner Lease Agreement

Mr. Moreau indicated to the Board that the Authority has a multi-duct installation, which was installed about 20 years ago by MFS. Over the years it has changed hands and ownership and Time Warner has now requested the use of one of the many inner ducts. Mr. Moreau further indicated that we do not have an agreement with the original vendor and things are still in a state of flux with our negotiations. In an attempt to accommodate Time Warner without affecting negotiations, a plan has been developed by the Engineering Department, the IT Department and Time Warner. Mr. Moreau went on to say a guideline for this work is provided by the Authority's General Rules and Regulations, an accommodation plan for the utilities' presence. Mr. Ruggiero added that he would like the Authority to take it a step further and put in its own fiber cable and charge any telecommunications company that would like to cross the river by leasing one fiber optic strand at a time; clearly a more lucrative investment. Mr. Herd has been working with a vendor and is awaiting proposals and different options that would work best for the Authority's needs. Mr. Ruggiero went on to say that by the Authority being a fiber provider would have a potential to make about \$6,000.00 leasing conduit. A brief discussion followed on how long this could take to have it up and running. No action was required by the Board.

The Board recessed to attorney client privilege session at 4:20 pm.

INFORMATION TECHNOLOGY:

1) Homeland Security – ITS/Video Installation Project

Vice Chairman Vecellio made a motion to reconvene from recess at 4:50 pm, which was seconded by Commissioner Lashua. Chairman Sproat indicated that he had a resolution before him to amend the Authority's procurement procedures relative to the Port Security Grant and since the Board had reviewed the resolution Chairman Sproat called for a motion. On a motion of Commissioner Higgins, seconded by Commissioner Gerentine, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-070
Resolution Date: July 15, 2010

WHEREAS, the New York State Bridge Authority has entered into an Agreement with the Port Authority of New York and New Jersey for the Homeland Security Grant (BA-2010-RO-013-HS) in the amount of 4.6 million dollars (\$4,600,000) to install security systems within the Bridge system in accordance with the grant application; and

WHEREAS, the Authority will realize significant savings through the direct procurement of the ITS components for this project and at least some purchases will be advertised for bid prior to the completion of the design; and

WHEREAS, the estimated procurement funding of the ITS components is \$1,200,000 (75% of which will be reimbursed through the agreement with the Port Authority); and

WHEREAS, it may be necessary to complete the purchase of some items prior to Board approval in order to meet the timetable for the completion of this project in accordance with the grant agreement;

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director, in consultation with the Chairman of the Board, is hereby authorized and directed to take the necessary measures to implement the grant agreement, including commencement of the procurement process not to exceed 1.2 million dollars (\$1,200,000); and

BE IT FURTHER RESOLVED, that the Executive Director will report the status of the project each month to the Board and will seek confirmation from the Board for any procurement items purchased prior to a Board meeting in order to meet the emergency timetable established for the completion of this project.

IN WITNESS WHEREOF, this resolution has been duly adopted this 15th day of July, 2010.

Joseph Ruggiero, Secretary

This concluded the agenda of the regular meeting. On motion of Commissioner Higgins, seconded by Commissioner Gerentine and approved unanimously, the regular meeting adjourned at 4:55 P.M.

The next regular meeting is scheduled for August 19, 2010 at 3:00 P.M. at Headquarters.